

Posted – October 30, 2013

REGULAR MEETING NOVEMBER 4, 2013

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, November 4, 2013 at 7:00 P.M. (6:00 PM- PRESENTATION – GRAVEL WETLAND IN THE VALLEY) the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island. All items on this agenda, with the exception of the Public Forum Session, may be considered, discussed and voted upon.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

PLEDGE OF ALLEGIANCE TO THE FLAG

RECONSIDERATION

The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order

Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

PRESENTATION

1. Presentation by Rhode Island Department of Transportation and VHB – Vanasse Hangen Brustlin, Inc. – Gravel Wetland in the Valley.

PUBLIC FORUM SESSION

2. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting. All items discussed during this session will not be voted upon.

CONSENT

3. Approval of Minutes, re: Special Meeting, October 16, 2013.

4. Approval of Minutes, re: Regular Meeting, October 21, 2013.

5. Communication of Tax Assessor, thru Town Administrator, dated October 25, 2013, with enclosure, re: Cancellation of taxes for certain Middletown taxpayers.

6. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.

7. Communication of Tax Assessor, thru Town Administrator, dated

October 29, 2013, with enclosure, re: Cancellation of taxes for certain Middletown taxpayers.

8. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.

9. Memorandum of Finance Director, thru Town Administrator, with enclosure, re: FY2014 Municipal Financial Report – Quarter ending September 30, 2013.

10. (Continued from October 21, 2013, Regular Meeting)

(Continued from October 7, 2013, Regular Meeting)

An Ordinance of the Town of Middletown (First Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III, Administration, Chapter 36, Fee Schedule, Section 45, Burial Lots. (The Administration requests to continue this matter to November 18, 2013, Regular meeting of the Council)

11. Communication of Jody J. Sullivan, Executive Director, Newport County Chamber of Commerce, re: Support of USS John F. Kennedy resolution.

12. Email communication of David Croston, Chair, Portsmouth School Committee, with enclosure, re: Rejecting request to participate in the Unified High School Exploratory Committee.

13. Notice from Kevin M. Flynn, Secretary, State Planning Council, re: Notice of Rulemaking.

14. Application of Janet Fatulli dba Fatulli's Bakery & Deli, 909 East Main Road, for RENEWAL of a Victualling House License for the 2013-2014 licensing year.

15. Application of Wendy's International dba Wendy's, 62 Valley Road, for RENEWAL of a Victualling House License for the 2013-2014 licensing year.

16. Application of Marylous News, Inc. dba Marylous Coffee, 207 East Main Road, for RENEWAL of a Victualling House License for the 2013-2014 licensing year.

LICENSE

17. Application of Toby's, LLC dba Toby's Sub Shop, 1397 West Main Road, for a Victualling House License for the 2012-2013 licensing year. (NEW)

PUBLIC HEARING

18. (Public Hearing Advertised)

Application of Marylous News, Inc. dba Marylous Coffee, 207 East

Main Road, for RENEWAL of Additional Hours of Operation License for the 2013-2014 licensing year.

OTHER COMMUNICATION

19. Communication of Robert A. Smith, P.E., Deputy Chief Engineer, Rhode Island Department of Transportation, re: Reconstruction of Two Mile Corner (Routes 138/114), West Main Road – Commercial Street to Maplewood Road, East Main Road – West Main Road to Bailey Brook, Middletown, RI, RI Contract No. 93116, R.I.F.A.P. NO. AF-0138(011), HPP-4858(001), Town Council Comments.

TOWN ADMINISTRATOR COMMUNICATIONS

20. Memorandum of Town Planner, thru Town Administrator, re: 2013 RIDEM Recreation Development Grant.

21. Resolution of the Council, re: Authorizing the Planning Department to prepare and submit the 2013 RIDEM Recreation Development Grant.

APPOINTMENTS TO BOARDS & COMMITTEES

22. Communication of Mary M. Nunes, re: Resignation from the Middletown Citizens Memorial Committee.

23. Communication of Tina Vars, re: Resignation from the Middletown Prevention Coalition.

24. Memorandum of Rosemarie K. Kraeger, Superintendent of Schools, re: Appointment to Committees.

25. Memorandum of Town Clerk, thru Town Administrator, re: Recreation Facilities Master Plan Advisory Group.

EXECUTIVE SESSION

26. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (5) Land Acquisition (Coddington Highway).

Wendy J.W. Marshall, CMC

Town Clerk

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.

ADDENDUM TO TOWN COUNCIL AGENDA

POSTED – October 31, 2013

REGULAR MEETING – November 4, 2013

EXECUTIVE SESSION

1. Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (2) Litigation (Tax Appeal Cases)

Wendy J.W. Marshall, CMC

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